



WWW.RIVKINRADLER.COM

CAROL A. LASTORINO  
PARTNER  
(516) 357-3101  
[carol.lastorino@rivkin.com](mailto:carol.lastorino@rivkin.com)

March 2, 2016

**VIA ECF**

Honorable Leonard D. Wexler  
United States Courthouse  
Eastern District of New York  
944 Federal Plaza  
Central Islip, New York 11722

Re: *Cohen v. Ditech Financial LLC and Rosicki, Rosicki & Associates, P.C.*  
Case No. 15-cv-6828(LDW)(SIL) – RR File No. 006040-00014

Dear Judge Wexler:

This firm was recently retained to represent defendant, Rosicki, Rosicki & Associates, P.C. ("Rosicki"), in the above-referenced action. This letter is submitted on behalf of Rosicki and defendant, Ditech Financial LLC ("Ditech"), which is represented by Justin Angelo, Esq. at Ballard Spahr LLP.

The purpose of this letter is to request a modification of the current briefing schedule on Rosicki and Ditech's motions to dismiss the complaint. Insofar as this firm was just retained to represent Rosicki, we need additional time to serve the motion to dismiss which is currently due next Friday. No previous request has been made to modify the current briefing schedule which requires motion papers to be served by March 11, 2016; opposition papers to be served by April 11, 2016; and reply papers to be served by April 20, 2016. I spoke to Shimshon Wexler, Esq., counsel for plaintiff, and he consents to a modification of the current briefing schedule as follows:

- Motion to Dismiss due April 8, 2016;
- Opposition due May 9, 2016;
- Reply due May 18, 2016.

We do not seek a modification of the dates set forth in the Scheduling Order dated February 11, 2016 of Magistrate Judge Steven I. Locke.

We respectfully request that your Honor approve the foregoing briefing schedule.

Respectfully submitted,

RIVKIN RADLER LLP

A handwritten signature in black ink, appearing to read "C. Lastorino".

Carol A. Lastorino

CAL/bd

926 RXR Plaza  
Uniondale, NY 11556-0926  
T 516.357.3000 F 516.357.3333

477 Madison Avenue  
New York, NY 10022-5843  
T 212.455.9555 F 212.687.9044

21 Main Street, Court Plaza South  
West Wing, Suite 158  
Hackensack, NJ 07601-7021  
T 201.287.2460 F 201.489.0495

3361178